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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Replacement of Part 90 by Part 88 to
Revise the Private Land Mobile Radio
Services and Modify the Policies
Governing Them

and

Examination of Exclusivity and
Frequency Assignment Policies of
the Private Land Mobile Radio Services

PR Docket No. 92-235

To: The Commission

COMMENTS
OF THE
LAND MOBILE COMMUNICATIONS COUNCIL

LAND MOBILE COMMUNICATIONS COUNCIL
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Dated: November 20, 1995

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S U M M A R Y

The LMCC believes it is imperative that the cooperative spirit that has characterized the developments to date in the refarming proceeding continue. LMCC agrees with the Commission that encouraging more efficient and effective spectrum use remains the central focus of the refarming proceeding.

There are three significant steps that LMCC believes must be completed if the Commission and the industry are to achieve success in its refarming effort. First, uniform technical standards must be developed to govern the coordination of new systems. Second, measures must be implemented to allow the licensees of existing low power offset operations to adequately protect their communications systems. Third, concrete deadlines must be established to assist the transition to more efficient technologies.

With respect to the deadlines for the transition to more efficient technologies, LMCC recommends that, except with respect to incumbent offset operations, all applications filed on or after August 1, 1996 for new systems would have to declare the use of 12.5 kHz or equivalent spectrum efficiency. Second, effective August 1, 2005, for all markets designated as frequency-congested by the frequency advisory committees, secondary status would be conferred on licensees who do not convert to 12.5 kHz channelization or equivalent spectrum

efficiency.

LMCC also advocates that the Commission adopt the concept of "Protected Service Areas" to allow licensees to develop interference-free service areas. Further, LMCC believes it is necessary to adopt provisions that would allow primary channel incumbents to claim the adjacent 12.5 kHz offset channels or to retain their current claim to 25 kHz bandwidth, if they convert to 12.5 kHz operation or a spectral equivalent technology employing 25 kHz bandwidth.

LMCC strongly opposes the use of spectrum auctions as a measure to induce users to employ more efficient technologies. Further, under no circumstances, should the FCC adopt a competitive bidding system that pits users of private internal systems against commercial entities. LMCC is also opposed to the suggestion that the licensees of single-user private wireless systems might be permitted to resell excess capacity on their systems.

Regardless of the economic incentives that might be applied, the Commission must also be careful to address and resolve the residual issues, identified above, relating to the deployment of new technologies.

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**COMMENTS
OF THE
LAND MOBILE COMMUNICATIONS COUNCIL**

The Land Mobile Communication Council ("LMCC") respectfully submits the following Comments responsive to the issues raised by the Federal Communications Commission in the Further Notice portion of the Report and Order and Further Notice of Proposed Rule Making released in the above-referenced proceeding on June 23, 1995.¹

I. PRELIMINARY STATEMENT

1. LMCC is a non-profit association of organizations representing users of land mobile radio and providers of land

¹ Report and Order and Further Notice of Proposed Rule Making (FCC 95-255), adopted June 15, 1995. A summary of this decision appeared in the Federal Register dated July 19, 1995. (See 60 Fed. Reg. 37,148.)

mobile services and equipment. LMCC acts on behalf of the vast majority of public safety, business, industrial, private, common carrier, and land transportation radio users, as well as a diversity of land mobile service providers and equipment manufacturers.

2. LMCC's membership includes a variety of national associations representing users of the radio spectrum for both private and common carrier purposes. Specifically, LMCC's membership includes the following organizations²:

- American Association of State Highway and Transportation Officials (AASHTO)
- American Automobile Association (AAA)
- American Mobile Telecommunications Association (AMTA)
- American Petroleum Institute (API)
- American Trucking Associations, Inc. (ATA)
- Association of American Railroads (AAR)
- Association of Public-Safety Communications Officials-International, Inc. (APCO)
- Cellular Telecommunications Industry Association (CTIA)
- Forestry-Conservation Communications Association (FCCA)
- Industrial Telecommunications Association, Inc. (ITA)
- International Association of Fire Chiefs (IAFC)
- International Association of Fish and Wildlife Agencies (IAFWA)
- International Municipal Signal Association (IMSA)
- International Taxicab and Livery Association (ITLA)
- Manufacturers Radio Frequency Advisory Committee, Inc. (MRFAC)
- National Association of State Foresters (NASF)
- Personal Communications Industry Association (PCIA)
- Telecommunications Industry Association (TIA)
- UTC--The Telecommunications Association

² It is anticipated that individual members of LMCC will file their own comments in which they elaborate on their specific positions and explain any differences from the approaches recommended in these Comments.

II. BACKGROUND

3. The Report and Order implements the Commission's broad policy to encourage more efficient use of private land mobile radio ("PLMR") spectrum. To that end, the Report and Order adopts a narrowband channel plan which will eventually require the implementation by PLMR users of narrowband or equivalent spectrum-efficient technology in the 150-174 MHz and 421-430, 450-470, and 470-512 MHz bands.

4. With respect to licensing, the Commission stated in the Report and Order that it will begin the acceptance of applications for new 7.5 kHz channels in the VHF band, and for 6.25 kHz channels in the UHF band, one (1) year from the effective date of the Report and Order.³ The Commission reasoned that implementing the narrowband channelization in this manner would permit frequency coordinators sufficient opportunity to establish appropriate procedures and separation guidelines with which to evaluate the applications for potential interference to incumbent licensees.

5. Subsequently, LMCC requested, and the Commission granted, a stay of the Report and Order to delay the acceptance of applications for the new 12.5 kHz channels in the UHF band.

³ Report and Order, at paragraph 41.

III. COMMENTS

A. The Refarming Process, To This Point, Has Been Characterized By A Spirit of Cooperation Between the Commission and the Industry.

6. At this juncture, LMCC believes it is useful to place in perspective the process that has occurred, to date, in this proceeding with regard to technical issues. The proceedings have been characterized by a remarkable degree of cooperation and a careful melding of concepts by and between the Commission and industry. In the early days of refarming, the Commission's approach tended not to take full consideration of technical considerations. In many respects, the Notice of Proposed Rule Making⁴ adopted in 1992 was also somewhat oblivious to fundamental implementation issues. The Notice proposed a variety of economic-based approaches that, to the extent they were plausible at all, were workable only on spectrum in which there was no entrenched use.

7. Over time, through a most welcome dialogue between the FCC and the industry, the Commission crafted a Report and Order that reflected many of the licensees' concerns and was properly aggressive with respect to the conversion to narrower channelization. When the industry identified potential difficulties in the implementation process, the Commission acted

⁴ Notice of Proposed Rule Making, PR Docket No. 92-235, adopted October 8, 1992, 7 FCC Rcd. 8105 (1992).

quickly. It adopted, first, a Public Notice that halted, temporarily, the licensing of new high-powered stations on 12.5 kHz offset channels in the 450-470 MHz band.⁵ Second, at the request of LMCC, it expanded the freeze to include all newly created channels that are 12.5 kHz removed from any frequency available in the 421-430 MHz and 470-512 MHz bands under the former rules.⁶

8. LMCC convened two task groups to work through the issues raised in the Commission's Report and Order and Further Notice of Proposed Rule Making. Through a series of meetings, the members of LMCC attempted to develop a consensus position on the highly interrelated issues raised in the Further Notice portion of the decision. As explained more fully below, the most difficult task facing LMCC was not the forging of a consensus: it was developing a rational, systematic program for a migration to narrower channelization technologies that would adequately protect the interests of the thousands of licensed users currently operating in these bands.

9. The industry understands the pressure facing the Commission, in its role as spectrum manager, to "promote more efficient and effective use of the PLMR bands below 800 MHz."⁷

⁵ Public Notice, DA 95-1771, adopted August 11, 1995.

⁶ Public Notice, DA 95-1839, adopted August 22, 1995.

⁷ Further Notice of Proposed Rule Making, paragraph 110.

The Commission understands the difficulties posed by the existing environment, "characterized by unlimited sharing of the spectrum by over 500,000 licensees with over 12 million mobile units."⁸ Further, while the FCC clearly seeks additional opportunities to employ spectrum auctions, there has been a recognition that the spectrum at issue in the refarming proceeding does not represent a useful environment for competitive bidding.

10. In the continued spirit of cooperation, and in an effort to fulfill the commitments made by the industry when it asked the FCC to stay the licensing of the newly created channels in the 421-430 MHz and 470-512 MHz bands,⁹ the Land Mobile Communications Council respectfully files its Comments responsive to the issues raised in the Further Notice of Proposed Rule Making.

11. The express intent of the Further Notice is to explore "methods to promote more efficient and effective use of the PLMR bands below 800 MHz."¹⁰ To accomplish this objective, the Commission seeks to make sure that "the current shared regulatory environment contains the proper incentives to encourage efficient

⁸ Further Notice of Proposed Rule Making, paragraph 111.

⁹ The stay, the Commission noted, would afford "the land mobile community additional time to develop standards for 12.5 kHz offset channels in the 421-430 MHz and 470-512 MHz UHF bands." Public Notice, DA 95-1839, at 2.

¹⁰ Further Notice, paragraph 110.

spectrum usage."¹¹ The Commission believes that introducing market-based incentives into the frequency bands below 800 MHz will help to encourage more efficient spectrum use.

12. LMCC agrees with the Commission that encouraging more efficient and effective spectrum use remains the central focus of the refarming proceeding. LMCC respectfully submits, however, that, before the FCC reaches the stage of considering the possible benefits of market-based incentives, it address and resolve some residual technical and deployment issues. LMCC believes that various aspects of the Report and Order set a fertile foundation for more efficient and effective spectrum use. However, even with the question of the appropriate channel spacing for the refarmed spectrum having been settled, the process of transforming this spectrum from 25 kHz channels to 12.5 kHz and, ultimately, 6.25 kHz channels promises to be a most delicate transition. LMCC has developed an approach, set forth below, that it believes will advance significantly the success of the transition process.

B. Critical Steps Remain to be Completed to Ensure Successful Implementation of the Private Land Mobile Refarming Proceeding.

13. There are three significant steps that LMCC believes must be completed if the Commission and the industry are to

¹¹ Id.

achieve success in its refarming effort:

- Uniform technical guidelines must be developed that will permit the frequency coordinators to coordinate 25 kHz Time Division Multiple Access ("TDMA") systems, or other spectrally efficient wideband technologies, as well as 6.25 kHz and 12.5 kHz analog and digital systems in the existing environment.
- Measures must be implemented to allow the re-licensing of existing low power offset operations in the 450-470 MHz band for primary operations to adequately protect their communications systems from full power systems.
- Given the difficulty of implementing narrower channel equipment in an environment that relies solely on economic and operational "inducements," deadlines must be established to compel the transition to more efficient technologies.

14. LMCC believes it is imperative that the existing transition plan be further refined before the Commission proceeds with any sort of economic incentives. A simple example suffices to illustrate the difficulty of relying on economic incentives in frequencies bands that are already packed with users. To ensure a useful level of improvement in spectrum efficiency, the conversion to narrower channels must be an orchestrated phenomenon.

15. If an existing licensee of a 25 kHz system elects to convert to 12.5 kHz operations, the licensee's new channel spacing will utilize the same center frequency as the existing transmitter. The portion of the 25 kHz channel that is "freed up" comes in two segments of 6.25 kHz each that are located at the opposite edges of the 25 kHz channel. The 6.25 kHz segments

that are freed up become useful for other 12.5 kHz systems only if they can be paired with adjacent 6.25 kHz segments that have been similarly freed up by other 25 kHz systems.

16. In isolation, the conversion of a single 25 kHz system to 12.5 kHz does not produce any additional 12.5 kHz channels. The difficulty of orchestrating this process is magnified because of the shared nature of the bands. It might be possible to induce a number of shared users on the same 25 kHz channel to convert their operations to 12.5 kHz. However, unless all of the systems using the channel in the same geographic area convert to narrower channelization, the improvement is apt to be largely illusory. For this reason, LMCC believes that, before the Commission contemplates any sort of economic incentives, it must address and resolve some of the residual issues relating to the deployment of new technologies.

17. Economic incentives may be inadequate to accomplish the desired result. Simply stated, economic incentives cannot negate technical disincentives. Conventional engineering wisdom teaches that, in an environment where there are both 25 kHz analog systems and 12.5 kHz digital and analog systems using overlapping channels in the same area, the interference from the 12.5 kHz systems to the 25 kHz systems is likely to be noticeable but tolerable. Conversely, the interference from the 25 kHz systems to the 12.5 kHz systems is likely to be destructive. This

phenomenon may cause 25 kHz licensees to be quite conservative about the timing of their conversion to 12.5 kHz. No matter how compelling the economic inducements, if a 12.5 kHz system cannot deliver adequate communications quality, there may be a significant disincentive to participate in the transition.

18. Additionally, as suggested in the requests for stay filed by Hewlett-Packard and the LMCC, the treatment of the existing low power systems using the 450-470 MHz offset channels is an issue that deserves careful planning. These radio systems, although operating on a secondary basis, carry vital electrocardiograph communications in hundreds of hospitals, transmit communications essential to the safety of petroleum refineries, and fulfill a variety of other critical requirements. As Hewlett-Packard noted in its July 25, 1995 request for a stay in the licensing of full power operations on the offset channels, the required sensitivity of the receivers used for offset channel operations makes the antennas highly susceptible to interference from outside sources. Therefore, there must be a system in place that will offer protection for the systems now using the offset channels.

19. The first two of the transitional efforts outlined above, development of coordination standards and the implementation of an offset protection plan, can take place, for the most part, without extensive FCC involvement and without

significant changes to the existing rules. Both efforts, however, are critical to the transition process. Unless existing and future licensees can be assured that their radio systems will operate satisfactorily in the changing environment, the refarming process will not meet the needs of the public.

20. The third effort, the establishment of defined time frames for the conversion to narrower channelization, requires some adaptation of the Commission's rules. As with the other two efforts, however, the definition of specific time frames for conversion is critical to the success of the refarming proceeding.

21. LMCC discusses in greater detail below the approach that it believes will best promote the overall success of the refarming effort.

C. The Technical Guidelines to Govern the Frequency Coordination Process Must Be Based on Established Engineering Principles.

22. Telecommunications Industry Association ("TIA") Working Group 8.8 is currently engaged in a deliberative process aimed at developing engineering standards relating to the introduction of narrower channelization equipment in the private land mobile radio bands below 800 MHz. LMCC is working with Working Group 8.8 to make sure that the standards that emerge from TIA's deliberations take into consideration factors relevant to system

deployment, user requirements and future development of the bands. This process is proceeding on schedule, with the result that useful frequency coordination standards should be available before March 1, 1996.

D. Practical Measures Are Necessary to Protect Existing 450-470 MHz Offset Operations from Harmful Interference.

23. LMCC believes it is both appropriate and necessary to allow the licensees of existing 450-470 MHz offset operations to attain primary status. Providing offset users with an option for converting their systems to primary status is critical to protecting such systems from interference that might be caused by primary systems operating on adjacent or co-channels.

LMCC recommends the following process for addressing the requirements of existing systems licensed for secondary UHF low power offset operations:

- March 1-September 1, 1996: Offset licensees in the 450-470 MHz band would have this six-month period to declare whether they wish to convert to primary status.
- Licensees may declare primary status by either: (a) registering their coordinates with a frequency coordinator and the FCC, and applying for primary status; or (b) modifying their licenses to operate in the new coordinator-designated low-power channels.
- September 1, 1996-March 1, 1997: The frequency coordinators would identify how many and what specific frequencies should be designated for low power operations in the 450-470 MHz band.
- Incumbent 450-470 MHz offset licensees who have declared primary status, whether operating at full or low power, would have to convert to 12.5 kHz channels no later than October 1, 1997, or operate on a

secondary basis.

- If 450-470 MHz offset licensees do not declare their intent to convert to primary status, they may have to modify their licenses to go to designated low power pool frequencies. (In some instances, the newly-designated low power channels may be the very channels on which the licensee is currently operating. As such, the licensee would obviously not be required to move to achieve a primary designation.)
- October 1, 1997: The stay imposed on the acceptance of applications for the newly created 12.5 kHz channels would be lifted. The licensees of secondary low power systems that choose not to convert to primary status would be on notice that their systems would be subject to having primary systems licensed on the same channel and on adjacent channels.

E. Specific Deadlines Are Required for the Transition to Narrower Channelization or Equivalent Efficiencies.

24. LMCC believes it is necessary to mandate specific procedures that will facilitate the introduction of more efficient technologies. Under LMCC's proposed approach, primary channel incumbents in the 421-430 MHz, 450-470 MHz and 470-512 MHz frequency bands would be allowed to claim the adjacent upper (high side) 12.5 kHz offset channels or to retain their current claim to 25 kHz bandwidth, if they convert to 12.5 kHz operation or a spectral equivalent technology employing 25 kHz bandwidth. Existing licensees who desire to claim the adjacent upper 12.5 kHz offset channels or to retain their current claim to 25 kHz bandwidth, if converting to a spectrally efficient technology, would have a six-month period, March 1-September 1, 1996, to apply to the FCC to convert their existing systems. This approach will provide a tangible incentive for existing users to

convert their systems to more efficient technologies.

25. To facilitate the transition process, LMCC would impose two deadlines on users, both in the UHF bands (421-430 MHz, 450-470 MHz and 470-512 MHz) as well as VHF (150-174 MHz). First, LMCC recommends that all applications filed on or after September 1, 1996 for new systems would have to declare the use of 12.5 kHz or equivalent spectrum efficiency.¹² Second, effective September 1, 2005, for all markets designated as frequency-congested by the frequency advisory committees, secondary status would be conferred on all licensees authorized to use the current (pre-refarming) channels on a primary basis who do not convert to 12.5 kHz channelization or equivalent spectrum efficiency.

F. Introduction of "Protected Service Areas" Would Allow Licensees to Develop Interference-Free Service Areas.

26. The first element of LMCC's approach is the concept of "Protected Service Areas" or "PSAs". As conceived by LMCC, a Protected Service Area would be oriented around service contours and not geo-political boundaries. It would not be based on a pre-determined uniform service radius or service zone. Instead, the licensee would have the flexibility to craft a protected zone that is consistent with its required service radius. In LMCC's view, the right to enjoy "PSA" status would be earned by:

¹² A "new system" is one that is not functionally integrated with an existing system.

- meeting the new spectrum efficiency standards;
- satisfying specified loading and/or utilization requirements;
- obtaining the concurrence of all affected co-channel users.

27. LMCC proposes that there be a specific time period established for licensees to file for PSA status. LMCC proposes the following schedule:

- 450-470 MHz: Incumbents would have from March 1, 1996 through September 1, 1996 to file for PSAs.
- 150-174 MHz: Incumbents would have from March 1, 1996 through September 1, 1996 to file for PSAs.
- 470-512 MHz: current exclusivity provisions would continue to apply.

28. In LMCC's view, the concept of PSAs fulfills a defined need that cannot be satisfied through measures such as exclusive use overlays. Exclusive use overlays are highly impractical for the environment that exists below 800 MHz. The spectrum is heavily congested in all areas of the country. Further, the nature of operations in the refarmed spectrum make it improbable that a potential exclusive use overlay licensee could ever accurately identify the "white space" that might be available in an area. Under the exclusive use overlay concept, interested licensees would be gaining access to spectrum in geographic locales that, by definition, have not been attractive to the existing licensees. There are not many, if any, such areas left in the country. In distinct contrast, the licensee of a Protected Service Area would have already identified a useful

area of operation and would have an established need in that area to justify PSA status.¹³ While exclusive use overlays would be designed to serve speculative uses, PSA status would accommodate established, bona fide requirements.

G. LMCC Does Not Believe that Spectrum Auctions Are Either Necessary or Instrumental to the Introduction of More Efficient Technologies.

29. LMCC strongly opposes the use of spectrum auctions as a measure to induce users to employ more efficient technologies in the spectrum that is under consideration in this proceeding. First, as the Commission has noted in its Further Notice, the Communications Act does not currently provide authority for using auctions in the context of the traditional private land mobile radio services. Even if Congress were to grant the Commission such authority, however, LMCC believes it would be inappropriate and misguided to institute auctions in the private services. Competitive bidding techniques will not work well in frequency bands that are as congested as the private land mobile bands below 800 MHz. There are million of existing users, each with legal, administrative and equitable rights that would have to be honored. As a practical matter, prospective bidders would emerge from any such auction without any operating rights of legal or practical significance. Further, under no circumstances should

¹³ By March 1, 1996, LMCC will develop appropriate minimum threshold loading and/or spectrum utilization standards that will define the criteria necessary to qualify for PSA status.

the FCC adopt a competitive bidding system that pits users of private internal systems against commercial entities.

30. With respect to the imposition of spectrum user fees, LMCC does not believe there is any public policy basis for singling out Part 90 users, as opposed to other communications radio services, for the application of spectrum user fees. LMCC does not believe that user fees will provide a compelling inducement for users to convert to convert to more efficient technologies. Accordingly, in LMCC's view, the conversion must be mandatory in nature, as outlined above. As a means of promoting efficient use of the spectrum, user fees will always be subordinate to technical considerations. If the technical climate is not conducive to the introduction of narrower channelization, user fees would constitute neither an appropriate nor useful inducement.

31. LMCC believes there should be a more direct pathway to narrower technologies. First, the industry and the Commission must ensure that the technology developed to accommodate narrower channelizations is, from a technical perspective, as equally attractive to users as the existing technology. Second, once technical parity has been established, the conversion to more efficient equipment should be mandatory, guided by reasonable deadlines for conversion. Spectrum user fees are deficient as a device for promoting the transition to narrower equipment because

there is no mechanism to ensure that the equipment being fostered is as useful or as desirable as the equipment that would be replaced. Moreover, in those cases where spectrum user fees might induce a user to convert to narrower channelization, there is no compulsion to convert by a specific date. Without compulsory conversion, other affected users will have no assurances that offending interference will be rectified by a date certain. By comparison, LMCC's recommended transition plan contains sufficient incentives to ensure that incumbents and new entrants move to more spectrum efficient technologies in an orderly and organized manner.

H. The Commission Should Not Permit the Resale of Excess Capacity on Private Wireless Systems.

32. LMCC is opposed to the suggestion that the licensees of single-user private wireless systems might be permitted to resell excess capacity on their systems.¹⁴ There is already a shortage of spectrum reserved for private internal systems. The Commission's focus should be on ensuring that there is sufficient spectrum available to accommodate the needs of existing and future private wireless users.¹⁵

¹⁴ There was not unanimous agreement on this position within LMCC. Some individual members, such as UTC, are expected to file separate comments.

¹⁵ LMCC does not intend, however, to preclude the operation of community repeater systems or bona fide non-profit cooperative use systems. Also, though LMCC does not believe that additional private carriers should be licensed in the private wireless spectrum, it does favor an approach under which existing private

IV. CONCLUSION

33. The LMCC believes it is imperative that the cooperative spirit that has characterized the developments to date in the refarming proceeding continue. LMCC agrees with the Commission that encouraging more efficient and effective spectrum use remains the central focus of the refarming proceeding.

34. There are three significant steps that LMCC believes must be completed if the Commission and the industry are to achieve success in its refarming effort. First, uniform technical standards must be developed to govern the coordination of new systems. Second, measures must be implemented to allow the licensees of existing low power offset operations to adequately protect their communications systems. Third, concrete deadlines must be established to assist the transition to more efficient technologies.

35. With respect to the deadlines for the transition to more efficient technologies, LMCC recommends that, except with respect to incumbent offset operations, all applications filed on or after August 1, 1996 for new systems would have to declare the use of 12.5 kHz or equivalent spectrum efficiency. Second, effective August 1, 2005, for all markets designated as

carriers licensed in the Business Radio Service would be grandfathered.

frequency-congested by the frequency advisory committees, secondary status would be conferred on licensees who do not convert to 12.5 kHz channelization or equivalent spectrum efficiency.

36. LMCC also advocates that the Commission adopt the concept of "Protected Service Areas" to allow licensees to develop interference-free service areas. Further, LMCC believes it is necessary to adopt provisions that would allow primary channel incumbents to claim the adjacent 12.5 kHz offset channels or to retain their current claim to 25 kHz bandwidth, if they convert to 12.5 kHz operation or a spectral equivalent technology employing 25 kHz bandwidth.

37. LMCC strongly opposes the use of spectrum auctions as a measure to induce users to employ more efficient technologies. Further, under no circumstances, should the FCC adopt a competitive bidding system that pits users of private internal systems against commercial entities. LMCC is also opposed to the suggestion that the licensees of single-user private wireless systems might be permitted to resell excess capacity on their systems.

38. Regardless of the economic incentives that might be applied, the Commission must also be careful to address and resolve the residual issues, identified above, relating to the

deployment of new technologies.

WHEREFORE, THE PREMISES CONSIDERED, the Land Mobile Communications Council respectfully urges the Federal Communications Commission to act in accordance with the comments and conclusions expressed herein.

Respectfully submitted,

LAND MOBILE COMMUNICATIONS COUNCIL

By: David Flinkstrom
David Flinkstrom
President



Dated: November 20, 1995